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15 *Robert Bosch GmbH and*
16 *Robert Bosch LLC*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

*In re: Volkswagen 'Clean Diesel' Marketing,
Sales Practices, and Products Liability
Litigation*

This document relates to:

*Iconic Motors, Inc., et al. v. Volkswagen
Group of America, Inc., et al.*, No. 3:17-cv-
3185-CRB

LEAD CASE No. 15-md-02672-CRB

**DECLARATION OF PATRICK SWIBER
IN SUPPORT OF BOSCH
DEFENDANTS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED**

Hon. Charles R. Breyer

1 I, Patrick Swiber, do hereby declare as follows:

2 1. I am an attorney at Cleary Gottlieb Steen & Hamilton LLP, counsel for Robert
3 Bosch GmbH and Robert Bosch LLC (the “Bosch Defendants”).

4 2. Pursuant to Local Civil Rule 79-5(d)-(f), I submit this declaration in support of the
5 Bosch Defendants’ Administrative Motion to Consider Whether Another Party’s Material Should
6 Be Sealed. I have personal knowledge of the facts stated herein, and could and would testify
7 competently to the matters stated.

8 3. Exhibits 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, and 15 are documents that Plaintiffs
9 have designated “Confidential” under the Stipulated Protective Order Governing Individual
10 Dealer Actions, ECF No. 5180 (“Protective Order”). The Bosch Defendants’ Motion for
11 Summary Judgment and Memorandum of Points and Authorities in Support Thereof (“Brief”)
12 contains information from these documents. Paragraph 12.3 of the Protective Order prohibits the
13 Bosch Defendants from filing this information publicly without written permission from the
14 designating party. The Bosch Defendants therefore respectfully seek leave to file these materials
15 under seal to permit Plaintiffs the opportunity to justify continued sealing under Local Civil Rules
16 79-5(c) & (f)(3).

17 4. Pursuant to Local Civil Rule 79-5(e)(2), attached as Attachment 1 is an unredacted
18 version of the Brief with the portions sought to be redacted highlighted in yellow.

19 5. Pursuant to Local Civil Rule 79-5(d), attached as Attachment 2 is an unredacted
20 version of Exhibit 1 sought to be filed under seal in its entirety.

21 6. Pursuant to Local Civil Rule 79-5(d), attached as Attachment 3 is an unredacted
22 version of Exhibit 2 sought to be filed under seal in its entirety.

23 7. Pursuant to Local Civil Rule 79-5(d), attached as Attachment 4 is an unredacted
24 version of Exhibit 3 sought to be filed under seal in its entirety.

25 8. Pursuant to Local Civil Rule 79-5(d), attached as Attachment 5 is an unredacted
26 version of Exhibit 4 sought to be filed under seal in its entirety.

27 9. Pursuant to Local Civil Rule 79-5(d), attached as Attachment 6 is an unredacted
28 version of Exhibit 5 sought to be filed under seal in its entirety.

17. Pursuant to Local Civil Rule 79-5(d), attached as Attachment 14 is an unredacted version of Exhibit 15 sought to be filed under seal in its entirety.

Executed on September 11, 2024 in New York, New York.

Patrick Swiber